

House Bill 366 (AS PASSED HOUSE AND SENATE)

By: Representatives Bearden of the 68th, Meadows of the 5th, and Tumlin of the 38th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4 of Title 30 of the Official Code of Georgia Annotated, relating to rights
2 of persons with disabilities, so as to change provisions relating to right to equal public
3 accommodations and to be accompanied by guide or service dog; to provide that every
4 person engaged in the raising of a dog for training as a guide or service dog shall have the
5 right to be accompanied by such dog in the same manner as a totally or partially blind, deaf,
6 or physically disabled person under certain conditions; to change provisions relating to denial
7 or interference with the admittance to or enjoyment of facilities or exercise of rights; to
8 provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 4 of Title 30 of the Official Code of Georgia Annotated, relating to rights of persons
12 with disabilities, is amended by revising subsection (b) of Code Section 30-4-2, relating to
13 right to equal public accommodations and to be accompanied by guide or service dog, as
14 follows:

15 "(b)(1) Every totally or partially blind person shall have the right to be accompanied by
16 a guide dog, and every physically disabled person and every deaf person shall have the
17 right to be accompanied by a service dog, especially trained for the purpose, in any of the
18 places listed in subsection (a) of this Code section without being required to pay an extra
19 charge for the guide or service dog; provided, however, that he or she shall be liable for
20 any damage done to the premises or facilities by such dog. In addition, if such totally or
21 partially blind person, physically disabled person, or deaf person is a student at a private
22 or public school in this state, such person shall have the right to be accompanied by a
23 guide dog or service dog subject to liability for damage as provided in the preceding
24 sentence. The guide dog or service dog must be identified as having been trained by a
25 school for seeing eye, hearing, service, or guide dogs.

(2) Every person engaged in the training of a guide dog or service dog for the purpose of accompanying a person as provided in paragraph (1) of this subsection shall have the same right to be accompanied by such dog being trained as the totally or partially blind person, deaf person, or physically disabled person has under paragraph (1) of this subsection, so long as such trainer is identified as an agent or employee of a school for seeing eye, hearing, service, or guide dogs.

(3) Every person engaged in the raising of a dog for training as a guide dog or service dog for the purpose of accompanying a person as provided in paragraph (1) of this subsection shall have the same right to be accompanied by such dog being raised for training as the totally or partially blind person, deaf person, or physically disabled person has under paragraph (1) of this subsection, so long as:

(A) Such dog is being held on a leash and is under the control of the person raising such dog for an accredited school for seeing eye, hearing, service, or guide dogs;

(B) Such person has on his or her person and available for inspection credentials from the accredited school for which the dog is being raised; and

(C) Such dog is wearing a collar, leash, or other appropriate apparel or device that identifies such dog with the accredited school for which such dog is being raised."

SECTION 2.

Said chapter is further amended by revising Code Section 30-4-4, relating to denial of or interference with admittance to or enjoyment of facilities or exercise of rights, as follows:

"30-4-4.

Any person, firm, corporation, or the agent of any person, firm, or corporation who denies or interferes with admittance to or enjoyment of the facilities enumerated in this chapter or otherwise interferes with the rights of a totally or partially blind person, physically disabled person, or deaf person or person engaged in the training or raising of a guide dog or service dog as provided by this chapter shall be guilty of a misdemeanor of a high and aggravated nature and, upon conviction thereof, shall be punished by a fine not to exceed \$2,000.00, ~~or by~~ imprisonment for not more than 30 days, or ~~by both such fine and~~ imprisonment."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.